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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,344	11/20/2001	Shawn R. Gettemy	PALM-3676	4295

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EXAMINER

LAO, LUN YI

ART UNIT PAPER NUMBER

2673

DATE MAILED: 03/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,344

Applicant(s)

GETTEMY ET AL.

Examiner

Lao Y Lun

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-13, 15-21 and 23-25 is/are rejected.
- 7) ☒ Claim(s) 7, 14 and 22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ranf et al(5,486,847) in view of Crutchfield(5,357,061).

As to claims 1, 2 and 11, Ranf et al teach an input detection system for an electronic device comprising a first display(16) ; a sensor(20) for detecting an indication in proximity to but not in contact with the surface of the sensor(20); a control circuit (in a notepad computer(6)) coupled to the sensor(20) and the first display(16) to register the indication as input to the electronic device(6)(see figures 1-2; column 1, lines 11-26; column 3, lines 39-67 and column 4, lines 1-32).

Ranf et al fail to point out the indication(stylus) not in contact with the surface of an electronic device.

Crutchfield teaches a sensor(10) for detecting an indication(stylus18) in proximity to but not in contact with the surface of the electronic device(see figures 1-5 and column 1, lines 27-60). It would have been obvious to have modified Ranf et al with the

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teaching of Crutchfield, since Ranf's sensor(20) is an electromagnetic sensor(see figures 1-2; column 3, line 29; column 4, lines 1-15).

As to claim 2, Ranf et al teach the sensor(20) is a capacitive sensor(see figures 1-2 and column 4, lines 1-10).

3. Claims 1, 4 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murakami et al(4,988,837) in view of Landmeier(5,381,160).

As to claims 1, 4 and 19, Murakami et al teach an input detection system for an electronic device comprising a first display(50) ; a sensor(10) for detecting an indication in proximity to but not in contact with the surface of the sensor(10); a control circuit (900) coupled to the sensor(10) and the first display(50) to register the indication as input to the electronic device(1)(see figures 1-9; column 1, lines 55-61; column 4, lines 9-19; column 5, lines 66-68 and column 6, lines 1-56).

Murakami et al fail to point out the indication(stylus) not in contact with the surface of an electronic device.

Landmeier teaches indication(stylus 18) contact to a glass cover(62), not in contact with the surface of an electronic device(64, 10 or 66 or 66')(see figures 2-3 and column 1, lines 62-67). It would have been obvious to have modified Murakami et al with the teaching of Landmeier, so as to protect a stylus scratching and damage a display.

As to claims 4 and 9, Murakami et al teach the sensor(10) is an inductive sensor(see figures 1, 4 and column 5, lines 16-34).

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4. Claims 1, 4 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garwin et al(5,218,173) in view of Landmeier(5,381,160).

As to claims 1, 4 and 19, Garwin et al teach an input detection system for an electronic device(notebook) comprising a first display(12) ; an inductive sensor(22) for detecting an indication in proximity to but not in contact with the surface of the sensor(22); a control circuit (14, circuit in a notebook) coupled to the sensor(10) and the first display(12) to register the indication as input to the electronic device(see figures 1, 5-6; column 3, lines 57-68; column 4, lines 9-15 and lines 51-68 ; and column 5, lines 1-21).

Garwin et al fail to point out the indication(stylus) not in contact with the surface of an electronic device.

Landmeier teaches indication(stylus 18) contact to a glass cover(62), not in contact with the surface of an electronic device(64, 10 or 66 or 66')(see figures 2-3 and column 1, lines 62-67). It would have been obvious to have modified Garwin et al with the teaching of Landmeier, so as to protect a stylus scratching and damage a display.

Claim Rejections - 35 USC § 103

5. Claims 3, 5-6, 8-10, 12-13, 15- 18, 20-21 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ranf et al(5,486,847) in view Grutchfield and Saw et al(6,445,574) or Garwin et al(5,218,173) in view of Landmeier and Saw et al(6,445,574).

As to claims 3, 5-6, 8-10, 12-13, 15- 18, 20-21 and 23-25, Ranf et al as modified or Garwin et al as modified fail to disclose a sensor for detecting an electronic device being handled, a cover coupled to the electronic device by a hinge and a second display being transparent when the cover is in a closed position.

Saw et al teach an electronic device(1) comprising a sensor(48) for detecting an electronic device being handled(a cover is in a open position); a cover(12) coupled to the electronic device(1) by a hinge(11) and a second display(30 or 46) being transparent when the cover(12) is in a closed position for viewing a first display(16, 44)(see figures 1-3; column 2, lines 53-65 and column 3, lines 40-50). It would have been obvious to have modified Ranf et al as modified or Garwin et al as modified with the teaching of Saw et al, so as to provide reduce the size of the electronic device for storage and/or carrying and a user still could view an essential information presented on a first display even the cover is closed.

As to claims 6, 8, 9, 13-16, 20-21 and 23-24, Saw et al teach a sensor(48) having a threshold(switch) for sensing a cover(12) being closed or open(see figures 1, 3 and column 3, lines 40-50).

As to claims 10, 17 and 25, it would have been obvious to have a second sensor coupled a second display so a user could also input data on a second display.

Allowable Subject Matter

6. Claims 7, 14 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1-6, 8-13, 15-21 and 23-25 have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that Ranf required a user to contact the protective plate(12) in order for the digitizer(20) to detect the reflected electromagnetic field on page 10. The examiner disagrees with that since Ranf's detector(20) is an electromagnetic sensor, not a pressure sensor, and the digitizer(20) can still detect the reflected electromagnetic field by a stylus(14) even though the stylus not contact the plate(12) (see figures 1-2 and column 4, lines 1-15).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jackson(4,931,782) teaches a touch screen having a cover sheet(60).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi, Lao whose telephone number is (703) 305-4873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached at (703) 305-4938.

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Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the Technology Center 2600 Customer Service Office
whose telephone number is (703) 306-0377.

March 16, 2004


Lun-yi Lao

Primary Examiner